

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2016

CORAM

THE HON'BLE MR. JUSTICE K.K.SASIDHARAN
and
THE HON'BLE MR. JUSTICE M.VENUGOPAL

W.P. No.7972 of 2016
and
W.M.P.No.7100 of 2016

A.S.Siddique .. Petitioner
Vs.

1.The Secretary to Government,
Housing and Urban Development
Department,
Fort St. George, Chennai - 9.

2.The Member Secretary,
Chennai Metropolitan Development
Authority (Enforcement Cell),
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road,
Egmore, Chennai - 8. .. Respondents

Petition filed under Article 226 of The Constitution of India praying for the issuance of a writ of mandamus directing the respondents to de-seal the building viz., Door No.1/509A, Pallavaram, Thoraipakkam Radial Road, OMR, Okkiyam Thoraipakkam, Chennai - 97, which was locked and sealed by the second respondent on 29.12.2015 pending the disposal of the appeal dated 08.02.2016 filed by the petitioner before the first respondent under Section 80-A of the Tamil Nadu Town and Country Planning Act.

For Petitioner ... Mr.S.P.Sudalaiyandi

For Respondents .. Mr.P.S.Sivashanmugha Sundaram,
Spl. Govt. Pleader for R1
Mr.N.Sampath for R2

ORDER

(Order of the Court was made by K.K.SASIDHARAN, J.)

By consent, the writ petition is taken up for final disposal during the time of admission.

2.Heard the learned counsel for the petitioner, learned Special Government Pleader for the first respondent and the learned standing counsel for the second respondent.

3.The statutory appeal filed by the petitioner under Section 80-A of the Tamil Nadu Town and Country Planning Act, 1971 is pending before the first respondent.

4.Though the prayer in the writ petition is for an order to de-seal the premises in question, the learned counsel for the petitioner submitted that the petitioner would be satisfied, in case a direction is issued to take up and dispose of the direction petition by the first respondent.

5.The appeal memorandum and the acknowledgement produced by the petitioner would show that the first respondent received the appeal along with the direction petition on 10 February 2016.

6.The first respondent is directed to consider and dispose of the direction petition filed by the petitioner as expeditiously as possible and in any case within a period of two weeks from the date of receipt of a copy of this order. It is needless to point out that the appeal shall also be disposed of within the statutory period.

7.The writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

mmi

To

1.The Secretary to Government,
Housing and Urban Development
Department,
Fort St. George, Chennai - 9.

2.The Member Secretary,
Chennai Metropolitan Development
Authority (Enforcement Cell),
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road,
Egmore, Chennai - 8.

+1 cc to Mr.S.P.Sudalaiyandi Advocate sr.13832
+1 cc to Mr.N.Sampath Advocate sr.13790
+1 cc to the Government Government Pleader sr.14022

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